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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

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Appl. No. : 10/778,009 Confirmation No. 3323
Applicant : Erik C. Scher, et al.
Filed : February 11, 2004
TC/A.U. : 1795
Examiner : Thanh Truc Trinh

Docket No. : 40-001330US
Customer No. : 22798
Client Ref No.: 01-001330US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.56, 37 CFR
§ 1.97 and § 1.98
AND MCKESSON STATEMENT OF RELATEDNESS**

Sir:

The reference cited on attached form PTO-1449 is being called to the attention of the Examiner. A copy of the reference is enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and reference cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

In view of *McKesson Information Solutions v. Bridge Medical* (Fed. Cir. 2007), and MPEP 2001.06(b)) Applicants advise the Examiner that at least the following US patent Applications are related to the subject application by priority, i.e., the following cases are either in the priority chain for the subject application, or share at least one priority claim with the subject application:

USSN 10/656,802, filed September 4, 2003 now Patent No. 6,878,871

USSN 11/008,315, filed December 9, 2004, now Patent No. 7,087,833

USSN 10/933,827, filed September 2, 2004, now Patent No. 7,422,790

USSN 11/007,916, filed December 9, 2004, now Patent No. 7,087,832

USSN 10/778,009, filed February 11, 2004, now Patent No. 7,087,832

USSN 11/499,599, filed August 4, 2006

USSN 12/185,444, filed August 4, 2008

USSN 10/656,916, filed September 4, 2003, now Patent No. 7,068,898

USSN 11/342,087, filed January 26, 2006, now Patent No. 7,228,050

USSN 11/696,088, filed April 3, 2007

USSN 12/212,014, filed September 17, 2008

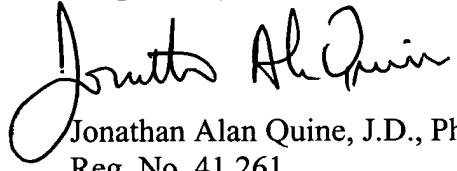
The Examiner is specifically encouraged to review the file history, including art made of record, as well as any substantive action in the above application(s) including any Restriction Requirements, Office Actions, Responses, Appeals, Appeal Briefs, Examiner's Replies, Notice(s) of Allowance or Issuance in the above-mentioned related application(s), prior to taking any action in the subject application. Applicants further note that the Examiner is aware that prosecution may be ongoing in any related case, and that the Examiner will continue to evaluate the related cases as needed.

Per *McKesson*, the Examiner is specifically advised that all such related applications MUST be evaluated for double patenting and for obviousness-type double patenting issues prior to allowance of any claim in the subject application.

Applicants understand that, due to modern and easy access by the Examiner to related cases on PAIR, or other electronic databases available to the Examiner, there is no need for Applicant to submit copies of any paper in the file wrapper for any related case.

This IDS is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action. Please deduct \$180.00, pursuant to 37 CFR §1.17(p), from the undersigned's Deposit Account No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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